

Remarks/Arguments

Claims 1 to 20 were rejected under 35 USC 102(b) as being anticipated by U.S. Whitman, et al., patent #6,772,150.

In the present application, failed search queries are analyzed in a self enhancing search system to improve results. As shown in Figure 4, this self-enhancement search system includes: a search system log analyzer 400, which periodically looks through the search system log 402 to uncover unsuccessful search queries (queries that did not turn up a sufficient number of references or which resulted in customer complaints); a relevant document finder 406 which, based on enhanced query terms provided by a query analyzer 404 finds relevant documents 410 and 412 that were not found using the unsuccessful search queries; and a meta data enhancer 408, that enhances the textual index for the relevant documents by adding to those relevant documents 410 and 412 terms (video player) used in the unsuccessful query to allow the relevant documents 410 and 412 turned up by the enhanced query to be returned when future searches similar to, or the same as, the unsuccessful search queries are entered by users.

Applicant's attorney did not find anywhere in the Whitman patent, (including column 10, line 60 to column 11 to line 8) where search terms included in unsatisfactory search queries are added to documents missed by the unsatisfactory queries. From applicant's attorneys reading of the mentioned section, it does not deal with modification of documents in a database 133 being searched by customer to make them detectable by search terms not contained in those documents in their unmodified form. Instead, this section deals with

selection of successful search terms (such as “walking the dog”) as entries into a search phrase table 137. Only the most highly scored phrases are listed in the table 137 for subsequent lookup (column 2, lines 28 to 40) (column 5, lines 20 to 22). The phrases are arranged in the table in order of their score with the phrase with the highest score at the top of the list (column 7, lines 59 to 65) and unsuccessful search phrases ignored (column 3, lines 52 to 57).

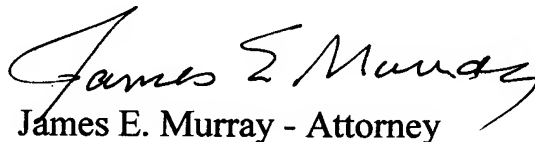
As amended, all the claims in the application recite limitations that reflect the above described differences between the present application and the Whitman patent. For instance, independent claims 1 and 9 call for the addition of search terms of unsuccessful search queries to documents missed by those queries but turned up by enhanced queries. Independent claim 17 calls for linking relevant documents to search terms in unsuccessful searches that are not contained in the relevant documents so that when the original search terms are used in future queries these relevant documents will be found. Further, all independent claims call for an analyzer that selects unsatisfactory searches for analysis. From what applicant’s attorney can see, the teaching of the Whitman patent is to ignore what it states as unsuccessful searches, not analyze them and then link them to relevant documents or place their query terms in relevant documents as claimed in one or more of claims 1, 9 and 17.

The dependent claims are distinguishable from the prior art for the reasons given above with respect to at least one of the independent claims and further distinguish in that they contain details not specifically recited in the independent claims.

For these and other reasons, all the claims in the application are allowable. Notwithstanding, the Examiner's comments in the 8/31/07 Office communication, it is the applicant's attorney's opinion that the Whitman et al patent does not expressly teach the applicant's invention nor is that invention inherent in the teaching of the Whitman patent. In fact, the Whitman patent teaches away from applicant's invention in that it teaches ignoring unsuccessful queries instead of using them as recited in the claims.

Therefore, it is respectfully submitted that the application is in consideration for allowance and it is requested that the application be reconsidered, allowed and passed to issued.

RESPECTFULLY SUBMITTED,

  
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